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**FILED**

MAR 20 2007

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7 CLERK, U.S. DISTRICT COURT  
8 EASTERN DISTRICT OF CALIFORNIA  
9 BY TG  
10 DEPUTY CLERK

11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

14 Plaintiff, CR.S-00-0445-DFL

vs.

15 DETENTION ORDER  
16 RICHARD GOMEZ,  
17 (Violation of Pretrial Release, Probation or  
Supervised Release)

Defendant.

18  After a hearing pursuant to 18 U.S.C. § 3148 (violation of pretrial release order), the  
19 court finds:

20  There is probable cause to believe the person has committed a federal, state  
21 or local crime while on release and the defendant has not rebutted the  
presumption that his release will endanger another or the community or

22  There is clear and convincing evidence that the defendant has violated  
23 another condition of release and

24  based on the factors set forth in 18 U.S.C. § 3142 (g) there is no condition or  
combination of conditions of release that will assure that the defendant will  
not flee or pose a danger to the safety of another person or the community or

25  the person is unlikely to abide by any condition or combination of conditions  
of release. F.R.Cr.P. 32.1(a)(D), 18 U.S.C. § 3148.

26  Pursuant to F.R.Cr.P.32.1(a) and 46(c) and 18 U.S.C. § 3143 (violation of  
probation or supervised release) the court finds defendant has not met his  
burden of establishing by clear and convincing evidence that he will not flee  
or pose a danger to another person or to the community.

1 IT IS ORDERED that pursuant to 18 U.S.C. § 3142(l)(2)(4) defendant is committed to the  
2 custody of the Attorney General for confinement in a corrections facility separate, to the extent  
3 practicable, from persons awaiting or serving sentences or being held in custody pending appeal.  
4 The defendant shall be afforded reasonable opportunity for private consultation with his counsel.  
Upon further order of a court of the United States or request of an attorney for the United States the  
person in charge of the corrections facility in which defendant is confined shall deliver defendant  
to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

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6 Dated: *March 20, 2007*

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8 EDMUND F. BRENNAN,  
9 UNITED STATES MAGISTRATE JUDGE

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